

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

L. KIRK TOMPKINS and SUSIE TOMPKINS,

Plaintiffs,

v.

13cv840 JB/RHS

**EXECUTIVE COMMITTEE OF THE
SOUTHERN BAPTIST CONVENTION (ECSBC) et al.,**

Defendants.

AMENDED REPORT AND RECOMMENDATION

THIS MATTER comes before the Court on an Order of Reference (Doc. 4) from the trial court directing the undersigned to conduct hearings, if warranted, including evidentiary hearings, and to perform any legal analysis required to recommend an ultimate disposition of the case. On June 19, 2014, the undersigned presided over an evidentiary hearing relative to all pending dispositive motions. Following the hearing, Plaintiffs *pro se* and counsel of record were invited to submit Requested Findings of Fact and Conclusions of Law all of which are now filed. The undersigned has considered and reviewed all of the pleadings on file in the above-captioned cause together with the arguments and authorities propounded by the respective parties and hereby enters the Court's Findings of Fact and Conclusions of Law together with recommended disposition of the pending pre-trial motions.

GENERAL FINDINGS AND CONCLUSIONS

1. Plaintiffs appeared *pro se* during the course of these proceedings, however the Court allowed Plaintiffs to have seated next to them a "legal advisor" who was a non-attorney. This legal advisor was not allowed to present argument or participate in the case at her request. Plaintiff Susie Tompkins was excused from personal appearance.